

**THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

	X	
	:	<b>Chapter 9</b>
<b>In re:</b>	:	<b>Case No. 13-53846</b>
<b>CITY OF DETROIT, MICHIGAN,</b>	:	<b>Hon. Steven W. Rhodes</b>
Debtor.	:	
	:	
	:	

**PETITIONERS ROBERT DAVIS' AND CITIZENS UNITED AGAINST CORRUPT  
GOVERNMENT'S MOTION FOR AN EX PARTE ORDER REDUCING THE TIME  
FOR A PARTY TO TAKE ANY ACTION OR FILE ANY OBJECTIONS TO  
PETITIONERS' EMERGENCY MOTION FOR CLARIFICATION OF THE COURT'S  
JULY 25, 2013 STAY ORDERS RELATING TO THE FILING OF A STATE COURT  
QUO WARRANTO ACTION AGAINST MIKE DUGGAN**

PETITIONERS, Robert Davis and Citizens United Against Corrupt Government, by and through their attorney, Andrew A. Paterson, submit their, Motion for an Ex Parte Order Reducing the Time for A Party to Take Any Action or File Any Objections to Petitioners' Emergency Motion for Clarification of the Court's July 25, 2013 Stay Orders Relating to the Filing of A State Court Quo Warranto Action Against Mike Duggan, and state as follows:

1. Pursuant to LBR 9006-1(b), Petitioners Robert Davis and Citizens United Against Corrupt Government (collectively "**Petitioners**") respectfully request the Court to enter an *ex parte* order reducing the time for a party to take any action or file any objections to Petitioners' Emergency Motion for Clarification of the Court's July 25, 2013 Stay Orders Relating to the Filing of A State Court Quo Warranto Action Against Mike Duggan ("**Emergency Motion**").
2. Petitioners have just received written permission from the Michigan Attorney General

- to file a quo warranto action against “*Mayor-Elect*” Mike Duggan seeking his removal from office prior to his taking of the office on January 1, 2013.
3. In accordance with LBR 9006-1(b), on December 11th and 12th, 2013, Petitioner Robert Davis and counsel for Petitioners spoke with counsel and Stephen LaPlante, of Miller Canfield, Debtor’s counsel, regarding receiving his concurrence with Petitioners’ Emergency Motion to be heard on an expedited basis. Although Attorney LaPlante indicated that he understood why this matter should be heard on an expedited basis, Attorney LaPlante indicated that he could not agree to have this matter heard on an expedited basis until he had an opportunity to review the pleadings with his client.
  4. It is urgent for the Court to address the merits of Petitioners’ Emergency Motion for Clarification of the Court’s July 25, 2013 Stay Orders relating to Petitioners’ State Court Quo Warranto Action against Mike Duggan, because the merits of Petitioners’ State Court Quo Warranto Action raise CRITICAL issues with respect to the legality of Mike Duggan’s election to office, and such issues must be adjudicated ***prior to Mike Duggan so assuming such office on January 1, 2014.***
  5. The Michigan Supreme Court has recognized the importance of election-related cases and has required that election-related cases are heard in an expedited manner. See *Scott v Director of Elections*, 490 Mich 888, 889; 804 NW2d 119 (2011).
  6. Additionally, MCR 7.213(C)(4) requires the Michigan Court of Appeals expedite appeals from all cases involving election-related issues.
  7. This Court has previously determined that this Court’s July 25, 2013 Stay Orders **do not** apply to quo warranto actions brought against even already “elected and serving

officials” of the Debtor.

8. As noted in Petitioners’ Emergency Motion, Mike Duggan is not an “official”, “agent” or “representative” of the Debtor until such time as he seeks to assume the duties of such office on January 1, 2014.
9. Accordingly, Petitioners respectfully request that the Court reduce the time for a party to take action or object to Petitioners’ Emergency Motion and require that an emergency hearing and all pleadings are filed with respect thereto on or before **Tuesday, December 17, 2013.**

#### **CONCLUSION/PRAAYER FOR RELIEF**

Petitioners, Robert Davis and Citizens United Against Corrupt Government, pray that the Court enters an *ex parte* order reducing the time for a party to take action or object to Petitioners’ Emergency Motion and require that an emergency hearing and all pleadings are filed with respect thereto on or before **Tuesday, December 17, 2013.**

Respectfully submitted,

/S/ Andrew A. Paterson  
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DATED: December 12, 2013